PATENT ATTORNEY DOCKET NO.: 47635.0002/00US

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re A	pplication of:	)			
Yoshih	iro NAKAO et al.	) Confirmation No.: 5495			
Applic	ation No.: 10/791,791	) Group Art Unit: 1634			
Filed:	March 4, 2004	) Examiner: James Martinell, Ph.D.			
For:	SCREENING METHOD FOR GENES OF BREWING YEAST	) ) )			

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, MAIL STOP AMENDMENT
Randolph Building
Alexandria, VA 22314

Sir:

### TRANSMITTAL FORM

- 1. Transmitted herewith is an Amendment and Reply dated July 20, 2006.
- 2. Additional papers enclosed:
  - Petition for Extension of Time (2-months); Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§ 1.821-1.825, with paper copy of Sequence Listing; one (1) floppy disc containing CRF copy of Sequence Listing; three (3) sheets replacement drawings (Figures 10A, 10B, and 11)
  - Fee Transmittal.

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### 3. Extension of Time

	roceedings herein are F.R. § 1.136(a) apply		tion and the provisions of			
	Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.					
$\boxtimes$	time, the fees for which are set out in er of months checked below:					
	Total Months	Fee for	[Fee for Small			
	Requested	Extension	Entity]			
	one month	\$ 120.00	\$ 60.00			
	two months		\$ 225.00			
	three months	\$ 1,020.00	\$ 510.00			
	four months	\$ 1,590.00	\$ 795.00			
	Extension of time fee due with this request: \$450.00.					
	If an additional extension of time is required, please consider this a Petition therefor.					
	An extension formonths has already been secured and the fee paid therefor of \$ is deducted from the total fee due for the total months of extension now requested.					

### 4. Constructive Petition

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

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# 5. Fee Calculation (37 C.F.R. §1.16)

	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	50	minus	46	4	x \$50 each =	+ 200.00
Independent Claims (37 C.F.R.§1.16(b))	7	minus _	6	11	x \$200 each =	+ 200.00
[] First presentation of Multiple dependent claim(s) \$360.00						
SUB-TOTAL =						
Reduction by ½ for filing by a small entity						
TOTAL FEE =						\$400.00

# 6. Fee Payment

$\boxtimes$	Enclosed is Check No. 34675 in the amount of \$ 850.00.
	The Commissioner is hereby authorized to charge Deposit Account No. 50-0573 in the amount of
	The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0573.

Respectfully submitted,

DRINKER BADDLE & REATH LLP

Dated: July 20, 2006

By: Wencedle Tilley

Mercedes K. Moyer, Ph.D., Esq.

Customer No. 055694

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